

Title	<b>Civil Harassment (revise forms CH-100, CH-101/DV-290, CH-110, CH-120, CH-125, CH-130, CH-131, CH-140, CH-145, and CH-150; adopt forms CH-135 and CH-151)</b>
Summary	California law authorizes court to make orders to protect people from being harassed by others. Judicial Council forms are available to assist people to request orders and to answer requests. To make the Civil Harassment forms easier to understand and use, these forms would be revised. The revised forms would use the Plain Language format that was adopted by the council in 2001 for the Domestic Violence prevention forms.
Source	Civil and Small Claims Advisory Committee
Staff	Patrick O'Donnell, Counsel to the Civil and Small Claims Advisory Committee, 415-865-7665, patrick.o'donnell@jud.ca.gov
Discussion	<p>Judicial Council forms have been available for a number of years for people who are asking for orders to stop civil harassment or who are responding to these requests. The California Legislature has recognized how important the council's forms are for persons involved in this kind of case and has made the Civil Harassment forms mandatory.</p> <p>The council has adopted similar forms for use in Domestic Violence Abuse, Elder Abuse, and Workplace Violence prevention cases, which are widely used by the public and the courts. In 2001, the Judicial revised the Domestic Violence Prevention forms to be in a Plain Language version. The purpose of revising the forms to be in this format was to make the courts more accessible to people without lawyers. The council wanted self-represented persons to be able to have forms that are easier to understand and to fill out. The information provided in the Domestic Violence prevention forms has helped people to serve papers, prepare for hearings, and represent themselves. The new format of these forms has widely been regarded as a success.</p> <p>Based on the format of the Domestic Violence prevention forms, the Civil Harassment forms would be revised. The main features of the Plain Language version of the Civil Harassment forms would include:</p> <ul style="list-style-type: none"> <li>• Clearer, simpler language explaining what information the litigants should provide on the forms.</li> <li>• Larger, more readable type.</li> <li>• More space on each page to make the forms more readable.</li> </ul>

- More space for people to provide information.
- An organization and format that is more intuitive and accessible to ordinary people who are unfamiliar with legal conventions.

The revised Civil Harassment forms should help not only the parties who are filling them out, but also the judicial system and, if the parties are represented, their attorneys. The forms should make it easier for people to understand the forms and to complete them with less assistance and fewer mistakes.

The entire series of Civil Harassment forms would be revised to follow the Plain Language format. The changes to specific forms are described below. Comments are invited on the formatting of the series and on the individual forms.

*Request for Order to Stop Harassment* (revised form CH-100)

This is the revised form that a person seeking a restraining order would use to initiate a civil harassment prevention case. It would replace the *Petition for Injunction Prohibiting Civil Harassment and Application for Temporary Restraining Order*.

The revised form, like others in the Civil Harassment series, would change the form's title to be easier to understand and would replace the caption with one that a person can more readily grasp and fill out.

All the legal elements necessary to request relief are contained on revised form CH-100. But the places for a person seeking protection to provide the information have been identified and presented more clearly.

Information about how a person with disabilities may ask the court for accommodations (such as assisted listening systems) is included on the form. Comment is specifically invited on this item.

*Request and Order for Free Service of Restraining Order* (form CH-101/DV-290)

This Plain Language version of the form for requesting free service of restraining orders by law enforcement would contain all the same items as the current form, but would add a second page containing instructions. The instructions would help protected persons to obtain free service of their orders.

*Answer to Request for Orders to Stop Harassment* (revised form CH-110)

This is the revised form a person would use to answer a request for an order to stop harassment. It would replace current form *Response to Petition for Injunction Prohibiting Civil Harassment*. The revised form would enable a respondent to answer or object to the contentions in the *Request for Orders to Stop Harassment*. It does so in a clearer, more direct manner than the current response form.

It provides several possible responses to the request for a firearms relinquishment order including that the defendant has no firearms, consents to the order, does not consent, or consents to certain specified orders.

*Notice of Hearing and Temporary Restraining Orders* (revised form CH-120)

This form is the initial order that the court would issue in a Civil Harassment proceeding. It would replace the *Order to Show Cause (Civil Harassment) and Temporary Restraining Order*. The revised form retains all the legal elements that are contained in an “order to show cause” and “temporary restraining order,” but presents these in a manner more comprehensible to non-lawyers.

Under the revised caption, the form contains a Notice of Hearing that tells the respondent that they “must go to court” on the date, time, and place provided. It tells them what they must tell the judge if they show up. And it explains the consequences if they do not appear.

The revised form contains a temporary restraining order that contains all the elements of the current form. But the format is easier to understand and to fill out. The order also contains all the statutorily required warnings and notices, but these are presented in a more readable manner.

Information about how a disabled person may ask for accommodations is included on this form.

*Reissue Temporary Restraining Orders* (revised form CH-125)

This is a Plain Language version of the current form to request reissuance of temporary restraining orders.

*Proof of Personal Service* (revised form CH-130), *Proof of Service by Mail* (revised form CH-131), and *What is “Proof of Service”?* (revised form CH-135)

The current two Proofs of Service forms (for personal service and

service by mail) have been revised to follow the Plain Language format. Especially for self-represented people unfamiliar with the entire concept of proof of service, these forms would be much easier to understand.

In addition, a new “What is Proof of Service”? form would be provided to give information to self-represented people about what proof of service means and how to carry it out.

*Restraining Order After Hearing to Stop Harassment* (revised form CH-140)

This is a Plain Language version of current form *Order After Hearing on Petition for Injunction Prohibiting Civil Harassment*. It contains all the features to the current form, but uses many of the formatting and other changes used in the Domestic Violence Prevention order after hearing.

*Proof of Firearms Turned in or Sold* (revised form CH-145)

This form is based on form DV-145. It would provide a means for persons subject to a firearms relinquishment order to provide proof that their firearms have been sold to a licensed gun dealer or turned in to a law enforcement agent.

An additional item would be added at the end of form CH-145, where the defendant must state whether the *Proof* shows that all of his or her firearms have been sold or transferred to law enforcement, or only some. If only some, the defendant must state whether proof of the sale of his or her other firearms has been, is, or will be filed.

Comments are invited on whether form CH-145 should be made mandatory.

*Can a Civil Harassment Restraining Order Help Me?* (revised form CH-150) and *Information for the Defendant* (revised form CH-151)

These two forms would replace current *Instructions for Lawsuits to Prohibit Civil Harassment* (form CH-150). The new forms are clearer and directed separately to the plaintiffs and defendants, addressing each person’s separate concerns more specifically.

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Attachments



The Court fills out these boxes  
Clerk stamps below when form is filed.

**DRAFT 04/08/04****①** Your name (*Plaintiff*):

Your address (*skip this if you have an attorney*): (*If you want your address to be private, give a mailing address instead*): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone number (*optional*): (\_\_\_\_\_) \_\_\_\_\_

Your attorney (*If you have one*): (*Name, address, phone #, and State Bar #*): \_\_\_\_\_

Court name and street address:

**Superior Court of California, County of**

**②** Name of person you want protection from (*Defendant*):

Describe the person: Sex: ☐ M ☐ F Weight: \_\_\_\_\_

Height: \_\_\_\_\_ Race: \_\_\_\_\_ Hair Color: \_\_\_\_\_

Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address (*If you know*): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Work address (*If you know*): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Case Number:****③** Besides you, who needs protection? (*family or household members*)

Full Name	Age	Lives with you?	How are they related to you?
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

**④** Why are you filing in this court? (*Check all that apply*):

☐ The Defendant lives here.

☐ I was hurt (physically or emotionally) by the Defendant here. \_\_\_\_\_

☐ Other (*Specify*): \_\_\_\_\_

**⑤** How do you know the Defendant? (*Check only one*):

The Defendant is my:

☐ Landlord

☐ Neighbor

☐ Other (*Specify*): \_\_\_\_\_

**This is not a Court Order.**

Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

- ⑥ Describe how the Defendant has harassed you:
- Date of most recent harassment? \_\_\_\_ / \_\_\_\_ / \_\_\_\_
  - Who was there? \_\_\_\_\_  
\_\_\_\_\_
  - Did the Defendant commit any acts of violence or threaten to commit any acts of violence against you?  
☐ Yes\* ☐ No  
\* If "Yes," describe those acts or threats: \_\_\_\_\_  
\_\_\_\_\_
  - Did the Defendant engage in a course of conduct that harassed you and caused substantial emotional distress? ☐ Yes\* ☐ No  
\* If "Yes," describe: \_\_\_\_\_  
\_\_\_\_\_
  - Did the Defendant's conduct described above seriously alarm, annoy or harass you? ☐ Yes ☐ No
- ☐ Check here if you need more space. Attach another page and write "CH-100, # 6 — Describe Harassment" at the top of the page.

**Check the orders you want ☒**

⑦ ☐ **Personal Conduct Order**

I ask the Court to order the Defendant to NOT do the following things to me or anyone listed in ③:  
Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements, contact (either directly or indirectly), or telephone, or send messages or mail or e-mail

⑧ ☐ **Stay-Away Order**

I ask the Court to order the Defendant to stay at least (*specify*) \_\_\_\_\_ yards away from me and the people listed in ③ and the places listed below: (*Check all that apply*)

- |   |   |
|---|---|
| a. <input type="checkbox"/> My home                           | d. <input type="checkbox"/> My vehicle                      |
| b. <input type="checkbox"/> My job or workplace               | e. <input type="checkbox"/> Other ( <i>Specify</i> ): _____ |
| c. <input type="checkbox"/> My children's school or childcare | _____   |

If the Court orders the Defendant to stay away from all the places listed above, will the Defendant still be able to get to his or her home, school, or job? ☐ Yes ☐ No\*

\* If "No," explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

⑨ ☐ **Others to be Protected**

Should the other people listed in ③ also be covered by the orders described above?

- ☐ Yes\* ☐ No ☐ Does not apply

\* If "Yes," explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is not a Court Order.**



Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**⑩ Order About Guns or Other Firearms**

I ask the Court to order the person in ② to be prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive firearms AND to sell or turn in any guns or firearms that he or she controls. If the judge approves the orders at the noticed hearing, the restrained person will have to sell to a gun dealer or turn in to the police any guns or firearms that he or she has or controls.

**⑪ ☐ Other Orders**

I ask the Court to order the Defendant to *(specify)*: \_\_\_\_\_

**⑫ ☐ Temporary Orders**

Do you want the Court to make Orders now on the matters listed in ⑦, ⑧, ⑨, and ⑩ that will last until the hearing? ☐ Yes\* ☐ No

\* If "Yes," explain why you need these Orders right now: \_\_\_\_\_

☐ Check here if you need more space. Attach another page and write "CH-100, # 11 — Temporary Orders" at the top of the page.

**⑬ ☐ Give Copy of Order to Law Enforcement**

My attorney or I will give copies of this order to the following law enforcement agencies:

Name of Agency: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**⑭ ☐ Earlier Requests for Orders**

Have you ever asked any court for other restraining orders against the Defendant? ☐ Yes\* ☐ No

\* If "Yes," specify the counties and case numbers if you know them: \_\_\_\_\_

**⑮ ☐ More Time for Notice**

I need extra time to notify the Defendant about these papers. I want the papers served up to \_\_\_\_\_ days before the date of the hearing.

Explain why you need more time: \_\_\_\_\_

**⑯ ☐ No Fee for Filing**

I ask the Court to waive the filing fee because the Defendant has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence. I am asking for a restraining order to stop this conduct.

**This is not a Court Order.**

Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**17** ☐ **No Fee to Serve Orders on Defendant**

I ask the Court to order the sheriff or marshal to serve (notify) the Defendant about the orders for free because the Defendant has stalked me or threatened me with sexual assault.

*(To get free service of the Court's orders without paying a fee, you must fill out and file the Request and Order for Free Service of Orders, (form CH-101), and if eligible for a fee waiver, you must also fill out and file the Application for Waiver of Court Fees and Costs (form 982(a)(17).)*

**18** ☐ **Attorney's Fees and Costs**

I ask the Court to order payment of my:

- a. ☐ Attorney fees      b. ☐ Out-of-pocket expenses.

The expenses are:

Item:	Amount:	Item:	Amount:
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

- ☐ Check here if you need more space. Attach another page and write "CH-100, #18 - Attorney's Fees and Costs" at the top of the page.

**19** ☐ **Additional Relief**

I ask the court for additional relief as may be proper.

**20** Number of pages attached to this form: \_\_\_\_\_

*(If you have an attorney, your attorney fills out the line below):*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Attorney's name*

➤ \_\_\_\_\_  
*Attorney's signature*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

➤ \_\_\_\_\_  
*Sign your name*



**Requests for Accommodations**

Assistive listening systems, computer-assisted-real-time-captioning or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (*Civil Code section 54.8*)

**This is not a Court Order.**

**DRAFT 8  
03/26/04 mc****1** Protected person's name: \_\_\_\_\_Protected person's address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*):  
\_\_\_\_\_  
\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone # (*optional*): \_\_\_\_\_Protected person's lawyer (*if any*): (*Name, address, phone #, and State Bar #*):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_**2** Restrained person's name: \_\_\_\_\_**Protected Person's Request****3** I ask the sheriff or marshal to serve the restraining order for free because (*check either item a or b*):a. ☐ I asked for a restraining order on form DV-100.b. ☐ I asked for a restraining order on form CH-100, and my request was based on my fear of  
(*you must check at least one box*):(1) ☐ sexual assault(2) ☐ stalking**4** I declare under penalty of perjury, under the laws of the State of California, that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*\_\_\_\_\_  
*Sign your name***Court Order and Instructions to Sheriff or Marshal****5** The court reviewed the protected person's request and finds that (*check one box only*):a. ☐ The protected person qualifies for a fee waiver.\*b. ☐ The protected person does not qualify for a fee waiver.\***6** The order (DV-110 or DV-130 or CH-120 or CH-140 and reference documents) can be served by the sheriff or marshal without cost to the protected person.

Date: \_\_\_\_\_

☐ Clerk, by \_\_\_\_\_, Deputy  
(*Clerk may grant in full a nondiscretionary fee waiver; see Cal. Rules of Court, rule 985(d).*)

— or —

☐ \_\_\_\_\_*Judicial Officer*

Case Number:

Protected person's name: \_\_\_\_\_

### Instructions for Protected Person

- 7 This form will allow you to ask the sheriff or marshal to serve the restraining order on the restrained person. There is no cost to you.
- 8 Fill out page 1 of this form (*Request and Order for Free Service of Restraining Order* (Form CH-101/DV-290)).
- 9 Fill out the *Application for Waiver of Court Fees and Costs* (Form 982(a)(17)), if you qualify for a waiver based on financial need. If you already completed that form for another case, you may not have to do it again. Ask the court clerk.
- 10 Give the forms to the court clerk.
- 11 Ask the clerk how to make sure the sheriff or marshal gets your papers.
- 12 For more information about service, read *What is "Proof of Service"?* (Form CH-135 or Form DV-210).

**The sheriff or marshal will fill in this box and return a copy of this form to the court listed on this form.**

Service of the order was attempted or made on (date): \_\_\_\_\_ Fee: \$ \_\_\_\_\_

\* Qualification for a fee waiver is made or denied under rule 985 of the California Rules of Court.

**NOTICE to Law Enforcement:** Government Code section 6103.2(b) allows the sheriff or marshal to bill the court **ONLY** for orders or injunctions described in subdivision (q)(1) of Code of Civil Procedure section 527.6. The sheriff or marshal may bill the court for service only if box 5(b) is checked.

**DRAFT 04/08/04**

Court name and street address:

**Superior Court of California, County of****Case Number:****①** Name of person who asked for the order (*Plaintiff*):**②** Your name (*Defendant*):  
Your address (*skip this if you have an attorney*): (*If you want your address to be private, give a mailing address instead*):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone # (*optional*): (\_\_\_\_\_) \_\_\_\_\_Your attorney (*if you have one*): (*Name, address, phone #, and State Bar #*):**Use this form to give the Court your answers to CH-100.**

- Read CH-151 to protect your rights.
- Fill out this form then, take it to the Court Clerk.
- Serve the Plaintiff a copy of this form and any pages you attach.

**③** ☐ **Personal Conduct Orders**

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.
- c. ☐ I agree to the following order (*specify*):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**④** ☐ **Stay Away Orders**

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.
- c. ☐ I agree to the following order (*specify*):

\_\_\_\_\_

\_\_\_\_\_

**⑤** ☐ **Turn In Guns or Other Firearms**

- a. ☐ I do not own or have any guns or firearms.
- b. ☐ I agree to the order requested.
- c. ☐ I do not agree to the order requested.
- d. ☐ I agree to the following order (*specify*):

\_\_\_\_\_

\_\_\_\_\_

**⑥** ☐ **Other Orders**

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested.
- c. ☐ I agree to the following orders (*specify*):

\_\_\_\_\_

\_\_\_\_\_

The Court can consider your Answer at the hearing. Write your hearing date and time here:

**Hearing  
Date**

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

**You must obey the Court's orders until the hearing.**  
If you do not come to this hearing, the Court can make the orders last for 3 years.

Your name: \_\_\_\_\_

**7** ☐ **Emotional Distress**

- a. ☐ The person in ① has not suffered emotional distress. *(Explain):* \_\_\_\_\_
- b. ☐ A reasonable person in the same position as the person in ① would not have suffered emotional distress. *(Explain):* \_\_\_\_\_
- c. ☐ If the person in ① has suffered any emotional distress, it is not because of what that person has accused me of doing. *(Explain):* \_\_\_\_\_

**8** ☐ **Purpose of Actions**

What I did to the person in ① – if anything – was not done on purpose.

**9** ☐ **Denial**

- a. ☐ I did not do anything described in ⑥ of CH-100. *(Skip to ⑪)*
- b. ☐ I did some or all of the things described in ⑥ of CH-100.

**10** ☐ **Reason or Excuse**

I have done some or all of the things the person in ① has accused me of, but:

- a. ☐ What I did was legal. *(Explain):* \_\_\_\_\_
- b. ☐ I had a good reason for doing these things. *(Explain):* \_\_\_\_\_
- c. ☐ I have other reasons to justify what I did. *(Explain):* \_\_\_\_\_

**11** ☐ **The Court should not make an order against me because:** *(List any other reasons below):*


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**12** ☐ **Facts that support this Answer:** *(List any other facts that support your case):*


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- ☐ If you need more space, check the box and attach an extra page and write "CH-110, Item 12 — Other Facts" at the top. Be specific.

**13** ☐ **No Fee for Filing**

I ask the Court to waive the filing fee because the person in ② claims that I have used or threatened to use violence against them or have acted in some other way that would make them reasonably fear violence.



Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**14** ☐ **Attorney Fees and Costs**

I ask the Court to order payment of my:

- a. ☐ Attorney fees
- b. ☐ Out-of-pocket expenses because the temporary restraining order was issued without enough supporting facts. The expenses are:

Item:	Amount:	Item:	Amount:
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

**15** ☐ **Other Relief**


I ask for additional relief as may be proper.

**16** Number of pages attached to this form: \_\_\_\_\_

*(If you have an attorney, your attorney fills out the below):*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Attorney's name*

 \_\_\_\_\_  
*Attorney's signature*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

 \_\_\_\_\_  
*Sign your name*

The Court fills out these boxes  
Clerk stamps below when form is filed.

**DRAFT 04/08/04**

Court name and street address:

**Superior Court of California, County of****Case Number:**

① Protected person's (*Plaintiff's*) name:

Plaintiff's address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone number (*optional*): (\_\_\_\_\_) \_\_\_\_\_

Your lawyer (*If you have one*): (*Name, address, phone #, and State Bar #*):

② Restrained person's (*Defendant's*) name:

**Temporary Restraining Orders**

③ The person in ①'s Request for Temporary Orders to Stop Harassment is:

- a. ☐ Granted  
b. ☐ Denied

④ Description of the person in ② (*the Defendant*):

Sex: ☐ M ☐ F Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Race: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address (*if known*): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Work Address (*if known*): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

⑤ List the full names of all family or household members protected by this order:

**This is a Court Order.**

Your Name: \_\_\_\_\_


Case Number: \_\_\_\_\_

## Temporary Orders Against the Restrained Person *(the Defendant)*

*(Write the name of the person in ②):* \_\_\_\_\_

### Notice of Hearing

- ⑥ **To the person in ②:**  
**You must go to court on:**

	Date: _____	Time: _____	Name and address of court if different from above: _____
	Dept.: _____	Rm.: _____	

If you do not want the Court to make orders against you, file CH-110. Then, go to the hearing and tell the Court why you disagree. If you do not come to this hearing, the Court can make restraining orders that could last up to 3 years.

- ⑦ **Until the hearing, you must obey the court orders checked below.** These orders will expire at the date and time of the hearing unless extended by the Court. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1000, or both.

⑧ ☐ **Personal Conduct Orders**

You must **not** do the following things to the people listed in ① and ⑤:

- ☐ a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements
- ☐ b. Contact (directly or indirectly), telephone, send messages, mail or e-mail

⑨ ☐ **Stay-Away Order**

You **must** stay at least \_\_\_\_\_ yards away from:

- a. ☐ The person listed in ①
- b. ☐ The people listed in ⑤
- c. ☐ Home ☐ Job ☐ Vehicle of person in ①
- d. ☐ The children's school or child care
- e. ☐ Other (specify): \_\_\_\_\_

⑩ **No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

⑪ ☐ **Turn In or Sell Guns or Firearms**

You:

- Must sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 48 hours of receiving this order. But if you were at a hearing on this order, it must be done within 24 hours of the hearing.
- Must bring a receipt to the Court within 72 hours of receiving this order, to prove that guns have been turned in or sold. *(You can use CH-145 for this.)*

- ⑫ ☐ **Other Orders** *(specify):* \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**This is a Court Order.**



Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

### Orders to the Protected Person *(the Plaintiff)*

To the person in ①: *(Write the name of the person in ①):* \_\_\_\_\_

**⑬ ☐ Service of Order on Law Enforcement**

By the close of business on the date this order is made, you or your attorney will deliver a copy of this order and any proof of service forms to each law enforcement agency listed below.

Name of Law Enforcement Agency: \_\_\_\_\_

Address (City, State, Zip) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**⑭ ☐ Service of Documents**

You must have someone personally deliver to the person in ② a copy of all the documents checked below:

- a. ☐ CH-120, *Notice of Hearing and Temporary Restraining Orders* (completed and file-stamped)
- b. ☐ CH-100, *Request for Orders to Stop Harassment* (completed and file-stamped)
- c. ☐ CH-110, *Answer to Request for Orders to Stop Harassment* (blank form)
- d. ☐ Other *(specify)*: \_\_\_\_\_

**⑮ ☐ Time for Notice *(check a, b, or c)***

- ☐ a. A copy of the documents listed in ⑭ must be served in person to the person in ② at least 2 days before the hearing,
- ☐ b. A copy of the documents listed in ⑭ must be served in person to the person in ② at least 5 days after this order is issued.
- ☐ c. A copy of the documents listed in ⑭ must be served in person to the person in ② at least \_\_\_\_\_ days before the date of the hearing.

**⑯ ☐ No Fee for Filing**

Filing fees are waived.

**⑰ ☐ No Fee for Service of Order by Law Enforcement**

Law enforcement will serve this order without charge because the order is based on stalking or a credible threat of violence resulting from a threat of sexual assault.

Date: \_\_\_\_\_



\_\_\_\_\_  
*Judicial Officer*

**This is a Court Order.**



Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

## Warnings and Notices to the Restrained Person in ②

### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control. The Court will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime.

## — Instructions to Law Enforcement —

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.



### Requests for Accommodations

Assistive listening systems, computer-assisted-real-time-captioning or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (*Civil Code section 54.8*)

(The Clerk will fill out this part)

## — Clerk's Certificate —

Clerk's Certificate  
[seal]

I certify that this *Notice of Hearing and Temporary Restraining Orders* is a true and correct copy of the original on file in the Court. Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

The Court fills out these boxes  
Clerk stamps below when form is filed.

**DRAFT 04/08/04**

① Your name (*person asking to reissue order*) (*Plaintiff*):

Your address (*skip this if you have an attorney*): (*If you want your address to be private, give a mailing address instead*):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone number (*optional*): (\_\_\_\_) \_\_\_\_\_

Your attorney (*If you have one*): (*Name, address, phone #, and State Bar #*):

Court name and street address:

**Superior Court of California, County of**

② Name of Defendant:

**Case Number:**

③ ☐ I ask the Court to reissue the Temporary Restraining Orders, form CH-120.

a. The last Temporary Restraining Orders were issued on (*date*): \_\_\_\_/\_\_\_\_/\_\_\_\_

b. The last hearing date was (*date*): \_\_\_\_/\_\_\_\_/\_\_\_\_  
c. The orders were reissued \_\_\_\_\_ times.

④ ☐ I ask the Court to reissue the order because (*check one*):

a. ☐ I could not get the order served before the hearing date.

b. ☐ The date of the hearing was changed because we were sent to mediation or other dispute resolution services.

c. ☐ Other (*specify*): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print your name



\_\_\_\_\_  
Sign your name

**This is a Court Order.**

Clerk will fill out section below.

⑤ The request to reissue the Temporary Restraining Order is:

a. ☐ Granted

b. ☐ Denied

The order listed in ③ is reissued and reset for hearing in this court on the date and time below. Unless the Court extends the time, the order will end on the date and time below.

**Hearing  
Date**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Name & address of court if different from above:

Dept.: \_\_\_\_\_ Rm.: \_\_\_\_\_

All other orders in the Temporary Restraining Orders stay in effect unless this order changes them.

Date: \_\_\_\_\_



\_\_\_\_\_  
Judicial Officer

Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

- ⑥ By the close of business on the date this order is made, the person checked below will deliver a copy of this order and any proof of service form to the law enforcement agency listed in ⑦.
- ☐ The person in ①
- ☐ The attorney of the person in ①
- ⑦ The law enforcement agency listed below will serve the defendant with a copy of this order and any attached orders.
- Name of Law Enforcement Agency: \_\_\_\_\_
- Address: \_\_\_\_\_
- City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_



### Requests for Accommodations

Assistive listening systems, computer-assisted-real-time-captioning or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (*Civil Code section 54.8*)

(The Clerk will fill out this part)

### — Clerk's Certificate —

Clerk's Certificate  
[seal]

I certify that this *Notice of Hearing and Temporary Restraining Orders* is a true and correct copy of the original on file in the Court.

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

The Court fills out these boxes  
Clerk stamps below when form is filed.

**DRAFT 04/08/04**

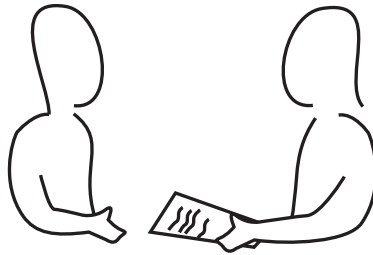
① Protected person's (*Plaintiff's*) name:

② Defendant's name:

**③ Notice to Server**

The server must:

- Be 18 or over.
- Not be listed on the restraining order.
- Give a copy of all documents checked in ④ to the person in ②. (You cannot send them by mail.) Then, fill out ⑤ - ⑥, sign this form and give or mail it to the person in ①.



Court name and street address:

**Superior Court of California, County of**

**Case Number:**

④ I gave the person in ② a copy of all documents checked below:

- a. ☐ CH-120, *Notice of Hearing and Temporary Restraining Orders*
- b. ☐ CH-100, *Request for Orders to Stop Harassment*
- c. ☐ CH-110, *Answer to Request for Orders to Stop Harassment* (blank form)
- d. ☐ CH-151, *Information for the Defendant*
- e. ☐ CH-140, *Restraining Order After Hearing – Civil Harassment*
- f. ☐ Other (*specify*): \_\_\_\_\_

⑤ I personally gave copies of the documents checked above to the person in ② on:

- a. Date: \_\_\_\_\_ b. Time: \_\_\_\_\_ ☐ a.m. ☐ p.m.
- c. At this address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**⑥ Server's Information**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

(If you are a registered process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

Type or print server's name



Server to sign here



The Court fills out these boxes  
Clerk stamps below when form is filed.

**DRAFT 04/08/04**

① Protected person's (*Plaintiff's*) name:

\_\_\_\_\_

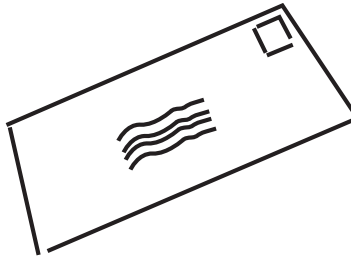
② Defendant's name:

\_\_\_\_\_

③ **Notice to Server**

The server must:

- Be 18 or over.
- Not be listed on the restraining order.
- Mail a copy of all documents checked in ④ to the person in ①. Then sign this form and give or mail it to the person in ②.



Court name and street address:

**Superior Court of California, County of**

**Case Number:**

④ I mailed the person in ① a copy of all documents checked below:

- a. ☐ CH-110, *Answer to Request for Orders to Stop Harassment* (completed form)
- b. ☐ Other (*specify*): \_\_\_\_\_

⑤ I placed copies of the documents checked above in a sealed envelope and mailed them as described below:

- a. Mailed from (*city*): \_\_\_\_\_ (*state*): \_\_\_\_\_
- b. On (*date*): \_\_\_\_\_
- c. To this address: \_\_\_\_\_
- City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

⑥ **Server's Information**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

(If you are a registered process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print server's name



\_\_\_\_\_  
Server to sign here

The Court fills out these boxes  
Clerk stamps below when form is filed.

**DRAFT 04/08/04**

Court name and street address:

**Superior Court of California, County of**

**Case Number:**

- ① Protected person's (*Plaintiff's*) name:

Protected person's address (*skip this if you have an attorney*): (*If you want your address to be private, give a mailing address instead*):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone number (*optional*): (\_\_\_\_\_) \_\_\_\_\_

Your attorney (*If you have one*): (*Name, address, phone #, and State Bar #*):

- ② Restrained person's (*Defendant's*) name:

**Hearing** (*The Court will fill out this section.*)

- ③ There was a hearing on  
(*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ ☐ a.m. ☐ p.m. Dept.: \_\_\_\_\_ Rm.: \_\_\_\_\_

\_\_\_\_\_ made the orders at the hearing.

(*Name of judicial officer*)

These people were at the hearing:

☐ Plaintiff (*the person in ①*)

☐ Plaintiff's lawyer

☐ Defendant (*the person in ②*)

☐ Defendant's lawyer

- ④ Description of the person in ② (*the Defendant*):

Sex: ☐ M ☐ F Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Race: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

- ⑤ List the full names of all other people protected by this order:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Orders Against the Restrained Person** (*the Defendant*)

(*Write the name of the person in ②*): \_\_\_\_\_

- ⑥ The person in ①'s Request for Orders to Stop Harassment is:

a. ☐ Granted

b. ☐ Denied

**This is a Court Order.**

Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

## Court Orders

### ⑦ This is a Court order:

You must obey the orders checked below. If you do not obey this order, you can be arrested and charge with a crime. And you may have to go to jail, pay a fine of up to \$1000, or both.

- ⑧ This order, except for an award of attorney's fees, expires at:  
(Time): \_\_\_\_\_ ☐ a.m. ☐ p.m. or ☐ midnight on (date): \_\_\_\_\_  
If no date is present, this order expires three years for the date of issuance.

### ⑨ ☐ Personal Conduct Orders

You must **not** do the following things to the people listed in ① and ⑤:

- ☐ a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements  
☐ b. Contact (directly or indirectly), telephone, send messages, mail or e-mail

### ⑩ ☐ Stay-Away Order

You must stay at least \_\_\_\_\_ yards away from:

- a. ☐ The person listed in ①  
b. ☐ The people listed in ⑤  
c. ☐ Home ☐ Job ☐ Vehicle of person in ①  
d. ☐ The children's school or child care  
e. ☐ Other (specify): \_\_\_\_\_

### ⑪ No Guns or Other Firearms

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

### ⑫ ☐ Turn In or Sell Guns or Firearms

You:

- Must sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 48 hours of receiving this order. But if you were at a hearing on this order, it must be done within 24 hours of the hearing.
- Must bring a receipt to the Court within 72 hours of receiving this order, to prove that guns have been turned in or sold. (You can use CH-145 for this.)

- ⑬ ☐ Other Orders (specify): \_\_\_\_\_  
\_\_\_\_\_

## Orders to the Protected Person (the Plaintiff)

To the person in ①: (Write the name of the person in ①): \_\_\_\_\_

### ⑭ ☐ Service of Order on Law Enforcement

By the close of business on the date this order is made, you or your attorney must deliver a copy of this order and any proof of service forms to each law enforcement agency listed below:

Name of Law Enforcement Agency:

Address (City, State, Zip)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is a Court Order.**



Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

⑮ ☐ **No Fee for Filing**  
Filing fees are waived.

⑯ ☐ **No Fee for Service of Order by Law Enforcement**  
Law enforcement will serve this order without charge because the order is based on stalking or a credible threat of violence resulting from a threat of sexual assault.

Date: \_\_\_\_\_



\_\_\_\_\_  
Judicial Officer

### Warnings and Notices to the Restrained Person in ②

#### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control. The Court will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime.

### — Instructions to Law Enforcement —

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

*(The Clerk will fill out this part)*

### — Clerk's Certificate —

Clerk's Certificate  
[seal]

I certify that this *Restraining Order After Hearing to Stop Harassment* is a true and correct copy of the original on file in the Court. Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

① Protected person's (*Plaintiff's*) name:

\_\_\_\_\_

② Your name (*Defendant*):

\_\_\_\_\_

Your address (*skip this if you have an attorney*): (*If you want your address to be private, give a mailing address instead*):

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone # (*optional*): (\_\_\_\_\_) \_\_\_\_\_

Your attorney (*if you have one*): (*Name, address, phone #, and State Bar #*):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

③ **To the person selling or turning in firearms:**

If the court has ordered you to sell or turn in your firearms, you may use this form to prove to the Court that you have obeyed its orders. When you deliver your unloaded weapons, ask law enforcement or the gun dealer to complete item ④ or ⑤ and item ⑥. After the form is signed, file it with the court clerk. Keep a copy for yourself. For help, read CH-151.

④ **To: Law Enforcement**

Fill out parts ④ and ⑥ of this form. Keep a copy and give the original to the person who turned in the firearms.

The firearms listed below were turned in on:

Date: \_\_\_\_\_ at: \_\_\_\_\_ ☐ a.m. ☐ p.m.

To: \_\_\_\_\_  
*Name and title of law enforcement agent*

\_\_\_\_\_  
*Name of law enforcement agency*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.



\_\_\_\_\_  
*Signature of law enforcement agent*

⑤ **To: Licensed Gun Dealer**

Fill out parts ⑤ and ⑥ of this form. Keep a copy and give the original to the person who sold the firearms to you.

The firearms listed below were sold on:

Date: \_\_\_\_\_ at: \_\_\_\_\_ ☐ a.m. ☐ p.m.

To: \_\_\_\_\_  
*Name of licensed gun dealer*

\_\_\_\_\_  
*License number* (\_\_\_\_\_) \_\_\_\_\_  
*Telephone*

\_\_\_\_\_  
*Address*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.



\_\_\_\_\_  
*Signature of licensed gun dealer*

**DRAFT 04/08/04**

*Court name and street address:*

**Superior Court of California, County of**

**Case Number:**

Your Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

⑥	Firearm Make	Model	Serial #
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

☐ Check here if more firearms. Attach a sheet of paper and write "CH-145, Item 6 — Firearms Turned In or Sold" at the top. Include make, model and serial # for all other firearms.

⑦ Do you have, own, possess or control any other firearms besides the firearms listed in ⑥? ☐ Yes ☐ No

⑧ If you answered "Yes," to ⑦ above, have you sold or transferred those other firearms? ☐ Yes ☐ No

If "Yes," check one of the boxes below:

☐ a. I filed the *Proof of Firearms Turned in or Sold* for the other firearms with the Court on (date): \_\_\_\_\_

☐ b. I am filing the Proof for the other firearms along with this Proof.

☐ c. I have not yet filed the Proof for the other firearms. (Explain why not): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print your name



\_\_\_\_\_  
Sign your name

**CH-150****Can a Civil Harassment Restraining Order Help Me?****What is a Civil Harassment Restraining Order?**

It is a Court order that helps protect people from harassment.

In the order, you are the Plaintiff (person asking for order). The person you want protection from is the Defendant.

**Can I get a Civil Harassment Restraining Order?**

You can ask for one if you are worried about your safety because someone:

- Stalked,
- Harassed,
- Sexually assaulted, or
- Threatened you with violence

**How will the order help me?**

The Court can order the Defendant to:

- Not harass or threaten you
- Not contact or go near you, and
- Not have a gun

You can also ask for protection for other family or household members.

**What forms do I need to get the order?**

Fill out forms CH-100 and CH-120. Then, file them with the court clerk.

**Where can I get these forms?**

You can get the forms at any courthouse, county law library, or go to:

[www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms)

**How soon can I get the order?**

If you ask for a temporary restraining order (form CH-120), the Court will decide whether or not to make the order within 24 hours. Sometimes the Court decides sooner.

**How long does the order last?**

If the Court makes a *temporary* order, it will last until your hearing date. At that time, the Court will decide to continue or cancel the order. The order could last for up to 3 years.

**How will the Defendant know about the order?**

Someone who is at least 18 — not you or anyone else protected by the order — must “serve” (give) the Defendant a copy of the order. For help with service, ask the court clerk for form CH-135.

**What if the Defendant does not obey the order?**

Call the police. The Defendant can be arrested and charged with a crime.

**How much does it cost?**

That depends on the type of harassment. If the Defendant has used or threatened to use violence against you, you do not have to pay a filing fee.

If you cannot afford to pay the filing fee, ask the clerk how to apply for a fee waiver.

The Court can make the person who loses the case pay all the court fees and the other party’s attorney fees.

**Do I have to go to court?**

Yes. Go to court on the date the clerk gives you.

**Do I need an attorney?**

No. But it is a good idea. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

**Do I need to bring a witness to the court hearing?**

No. But it helps to have proof of the harassment. You can bring:

- A statement from witnesses made under oath. (You can use form MC-030 for this.)
- A witness
- Photos
- Medical or police reports
- Damaged property
- A threatening letter, e-mail, or telephone message

The Court may or may not let witnesses speak at the hearing.

**Will I see the Defendant at the court hearing?**

If the Defendant comes to the hearing, yes. But that person does not have the right to speak to you. If you are afraid, tell the court officer.

**Can I bring someone with me to court?**

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your attorney (if you have one) can speak for you.

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If the interpreter is not available for your court date, bring someone to interpret for you. You cannot ask a child under 18 to interpret for you.

**Temporary Orders Against the Restrained Person (the Defendant)**  
(Write the name of the person in (3)).

**6 Notice of Hearing**  
To the person in (2):  
You must go to court on:

**Hearing Date:** Date: \_\_\_\_\_ Time: \_\_\_\_\_ Name and address of court if different from above:  
Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Place: \_\_\_\_\_ Room: \_\_\_\_\_

If you do not want the Court to make orders against you, file CH-110. Then, go to the hearing and tell the Court why you disagree. If you do not come to this hearing, the Court can make restraining orders that could last up to 3 years.

**7 Until the hearing, you must obey the court orders checked below.** These orders will expire at the date and time of the hearing unless extended by the Court. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1000, or both.

**8 Personal Conduct Orders**  
You must not do the following things to the people listed in (1) and (2):  
a. ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements  
b. ☐ Contact (directly or indirectly), telephone, send messages, mail or e-mail

**9 Stay-Away Order**  
You must stay at least \_\_\_\_\_ yards away from:  
a. ☐ The person listed in (1)  
b. ☐ The people listed in (2)  
c. ☐ Home ☐ Job ☐ Vehicle of person in (1)  
d. ☐ The children's school or child care  
e. ☐ Other (specify): \_\_\_\_\_

**10 No Guns or Other Firearms**  
You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

**11 Turn In or Sell Guns or Firearms**  
You:  
• Must sell to a licensed gun dealer or turn in to police any guns or firearms that he or she has or controls. This must be done within 48 hours of receiving this order. But if the person in (2) was at a hearing on this order, it must be done within 24 hours of the hearing.  
• Must bring a receipt to the court within 72 hours of receiving this order, to prove that guns have been turned in or sold. (You can use CTF-145 for this.)

**12 Other Orders (specify):** \_\_\_\_\_

**This is a Court Order.**  
**Notice of Hearing and Temporary Restraining Orders (Civil Harassment)**  
CH-120, Page 2 of 4

**What if I am deaf?**

If you are deaf, contact the clerk at least 1 week before the hearing. Ask for an interpreter or other accommodation.

**What if I move?**

Your restraining order works anywhere in the U.S. If you move out of California, contact your new local police so they will know about your orders.

**Need more information?**

Ask the court clerk about free or low-cost legal help.

**For help in your area, contact:**

[insert local info here]



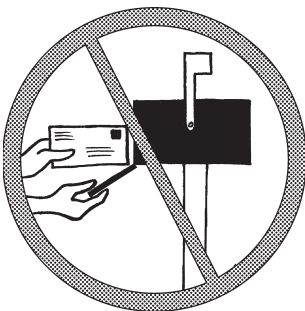
**CH-135****What Is “Proof of Service”?****What is “service”?**

There are many kinds of service — in person, by mail, and others. This form is about “in-person service.” The *Notice of Hearing and Temporary Restraining Orders* (CH-120) and the *Request for Orders to Stop Harassment* (CH-100) must be served “in person.”

That means someone — not you or anyone else protected by the order — must personally “serve” (give) the restrained person a copy of the forms.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- How to answer



*Don't serve it by mail!*

**Who can serve?**

Ask someone you know, a process server, or law enforcement to personally “serve” (give) a copy of the order to the restrained person. You *cannot* send it by mail.

The server must:

- Be 18 or over
- Not be you or anyone else protected by the orders

The sheriff or marshal may be authorized to serve the orders for *free* if the order is based on claims of stalking or threat of sexual assault.

A “registered process server” is a business you pay to deliver court forms. Look in the Yellow Pages, under “Process Serving.”

(If law enforcement or the process server uses a different Proof of Service form, make sure it lists the forms served.)

**How to serve**

Ask the server to:

- Walk up to the person to be served.
- Make sure it's the right person.
- Give the person copies of all papers checked on CH-130.
- Fill out and sign the Proof of Service form (CH-130).
- Give the signed Proof of Service to you.

**What if the person won't take the papers or tears them up?**

If the person won't take the papers, the server can just leave them near the person. It doesn't matter if the person tears them up.

**Who signs the Proof of Service?**

Only the person who serves the orders can sign the Proof of Service. You do not sign CH-130. The restrained person does not sign this form.

**When do the orders have to be served?**

It depends. To know the exact date, you have to look at two things on form CH-120:

First, look at the hearing date on page 2 of CH-120.

**Notice of Hearing**

**To the person in (2):**

**You must go to court on:**

**Hearing Date**

Date: \_\_\_\_\_

Dept.: \_\_\_\_\_

Next, look at the number of days written in (15) on page 3.

**(15) Time for Notice** (check a, b, or c.)

☐ a. A copy of the documents listed before the hearing,

☐ b. A copy of the documents listed this order is issued.

☐ c. A copy of the documents listed \_\_\_\_\_ days before the hearing.

Look at a calendar. Subtract the number of days in (15) from the hearing date. That's the final date to have the orders served. It's always OK to serve earlier than that date.

If nothing is written in (15), follow these rules:

- If the restrained person was notified that you asked for temporary orders, you must serve the orders at least 15 days before the hearing.
- If the restrained person was not notified that you asked for temporary orders, you must serve the orders at least 5 days before the hearing.

**Why do I have to get the orders served?**

- The *police cannot arrest* anyone for violating an order *unless* that person knows about the order.
- The *judge cannot make the orders permanent* unless the restrained person was served.

**What happens if I can't get the orders served before the hearing date?**

Before your hearing, fill out and file the *Reissue Temporary Restraining Orders* (CH-125). This form asks the Court for a new hearing date and makes your orders last until then. Ask the clerk for the form.

After the Court has reissued the orders, you *must* attach a copy of CH-125 to a copy of your original order. That way, the police will know your orders are still in effect. And the restrained person will be served with notice of the new hearing date.

**What do I do with the completed Proof of Service?**

- Make at least 5 copies.
- File the original at least 2 days before your hearing.
- Ask the clerk to enter it into CLETS (California Law Enforcement Telecommunications System), a special computer system that lets police all over the state find out about your order.
- If the clerk tells you they can't enter it into the computer, take 1 copy to your local police. They will put the information into the state computer system. That way, police all over the state will know about your restraining order.
- Bring a copy of the Proof of Service to your hearing.
- Always keep an extra copy with you for your safety.

**CH-151****Information for the Defendant****What is a Civil Harassment Restraining Order?**

It is a court order.

**What does the order do?**

The Court can order you to:

- Not contact the Plaintiff (the person who asked for the order)
- Stay away from the Plaintiff, the Plaintiff's home and workplace
- Not have any guns while the order is in effect

**Who can ask for a Civil Harassment Restraining Order?**

A person who is worried about safety because they are being:

- Stalked,
- Harassed,
- Sexually assaulted, or
- Threatened with violence

The person who asks for the order cannot be related or have had a relationship with you.

**How long does the order last?**

If the Court makes a *temporary* order, it will last until your hearing date. At that time, the Court will decide to continue or cancel the order. The order could last for up to 3 years.

**What if I don't obey the order?**

The police can arrest you. You can go to jail and pay a fine.

**What if I do not agree with what the order says?**

You still **must** obey the order until the hearing.

If you disagree with the orders the Plaintiff is asking for, fill out CH-110 before your hearing date and file it with the Court.

**Do I have to serve the other person with a copy of my answer?**

Yes. Have someone mail a copy of CH-110 to the person who asked for the order (or that person's attorney). (This is called "Service.")

The person who serves the form by mail must fill out form CH-131, *Proof of Service by Mail*. Make a copy of the Proof of Service and file it with the court clerk.

**Should I go to the court hearing?**

Yes. Go to Court on the date listed on CH-120. If you do not go to Court, the judge can make orders without hearing from you.

Your Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

**Temporary Orders Against the Restrained Person (the Defendant)**  
(Write the name of the person in ②.)

**6 Notice of Hearing**  
To the person in ②:  
You must go to court on:

Hearing Date: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ Name and address of court if different from above:  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

If you do not want the Court to make orders against you, file CH-110. Then, go to the hearing and tell the Court why you disagree. If you do not come to this hearing, the Court can make restraining orders that could last up to 3 years, and charged with a crime. And you may have to go to jail, pay a fine of up to \$1000, or both.

**7 Until the hearing, you must obey the court orders checked below.** These orders will expire at the date and time of the hearing unless extended by the Court. If you do not obey these orders, you can be arrested and charged with a crime.

**8 Personal Conduct Orders**  
You must *not* do the following things to the people listed in ① and ③:  
a. ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements  
b. ☐ Contact (directly or indirectly), telephone, send messages, mail or e-mail

**9 Stay-Away Order**  
You must stay at least \_\_\_\_\_ yards away from:  
a. ☐ The person listed in ①  
b. ☐ The people listed in ③  
c. ☐ Home ☐ Job ☐ Vehicle of person in ①  
d. ☐ The children's school or child care  
e. ☐ Other (specify): \_\_\_\_\_

**10 No Guns or Other Firearms**  
You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

**11 Turn In or Sell Guns or Firearms**  
You:  
• Must sell to a licensed gun dealer or turn in to police any guns or firearms that he or she has or controls. This must be done within 48 hours of receiving this order. But if the person in ② was at a hearing on this order, it must be done within 24 hours of the hearing.  
• Must bring a receipt to the court within 72 hours of receiving this order, to prove that guns have been turned in or sold. (You can use CH-135 for this.)

**12 Other Orders (specify):** \_\_\_\_\_

**This is a Court Order.**  
Notice of Hearing and Temporary Restraining Orders (Civil Harassment)  
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**Do I need an attorney?**

No. But it is a good idea. Ask the court clerk about legal services and self-help centers in your county.

**Will I see the person who asked for the order (the Plaintiff) at the court hearing?**

If the Plaintiff goes to the hearing, yes. Do not talk to the Plaintiff unless the judge says you can.

**Can I bring a witness to the court hearing?**

You can bring witnesses or documents that support your case. But if possible, you should also bring their written statements of what they saw or heard to the hearing. Their statements must be made under penalty of perjury. You can use form MC-030 for this.

**Can I bring someone with me to court?**

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your attorney (if you have one) can speak for you.

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If the interpreter is not available for your court date, bring someone to interpret for you. You cannot ask a child under 18 to interpret for you.

**What if I am deaf?**

If you are deaf, contact the clerk at least 1 week before the hearing. Ask for an interpreter or other accommodation.

**Need more information?**

Ask the court clerk about free or low-cost legal help.

**For help in your area, contact:**

[insert local info here]